

## UN Human Rights Envoy highlights “critical challenges”

UN Special Rapporteur on the Situation of Human Rights in Myanmar Tomás Ojea Quintana made a ten-day visit to Burma in August. As well as Rangoon and Naypyidaw, he visited Rakhine State, Kachin State, Shan State, Chin State, Mandalay and Meiktila township. In Naypyidaw, he met with government ministers and officials, Aung San Suu Kyi, and other MPs. In Rangoon, he met activists and visited political prisoners in Insein prison.

He highlighted ongoing human rights violations, including the continued detention of political prisoners, continued restrictions on aid delivery, particularly in Arakan and Kachin State, and the use of repressive laws. Quintana criticised the so-called ‘Right to Protest’ law, saying that he had met several people “detained and charged under the Peaceful Assembly and Demonstration Act for their involvement in peaceful protests, including on land issues. I reiterate that this legislation is not in line with international human rights standards.”



Quintana gives a press briefing before leaving Burma.

Following his visit to Arakan State, Quintana expressed concern that the separation and segregation of communities in Arakan/Rakhine State is becoming increasingly permanent, which is having a particularly negative impact on the Muslim community. Quintana also spoke of the hundreds of Muslims detained after the violence of June and October 2012, many of whom have been “arbitrarily detained and tried in flawed trials”.

On his arrival at Sittwe airport, he was greeted by a group of Arakan protesters who were angry at Quintana’s report to the UN about the violence in Arakan State.

He was met with further protest when he visited Meiktila, where anti-Muslim violence took place in March. Quintana described how his “car was descended upon by a crowd of around 200 people who proceeded to punch and kick the windows and doors of the car while shouting abuse. Due to these serious security concerns, I had to abandon my proposed visit to an IDP camp containing around 1,600 Muslims who had been displaced following the March violence.”

Quintana also had to cancel his planned visit to the Kachin Independence Organization (KIO) headquarters in Laiza after the government refused to give him permission to visit.

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## 88 Uprising anniversary commemorated

8 August marked the 25th anniversary of the pro-democracy uprising in 1988, when thousands of students and protestors died when the military and security forces crushed the uprising.

Several thousand people gathered at the Myanmar Convention Center in Rangoon to mark the anniversary, with speakers including 88 Generation Student leader Min Ko Naing and Aung San Suu Kyi.

Burma Campaign UK called on President Thein Sein to reveal the exact role he played in suppressing the uprising and for the abuses to be investigated and those responsible held to account. Thein Sein has never publicly spoken about the exact role that he played in suppressing the uprising. A leaked US embassy diplomatic cable dated 20th October 2004 said Thein Sein ‘distinguished’ himself cracking down against the 1988 uprising.

It stated: 'Major Thein Sein served as commander of Light Infantry Division (LID)-55, one of the elite organizations loyal to the Burmese Socialist Program Party (BSPP). In that capacity, he distinguished himself, as did Soe Win, in the crackdown against the 1988 uprising in support of democracy.'

More than 20 years later, on 30th March 2011, in his first speech to Parliament after becoming President, Thein Sein praised the actions of the military in crushing the uprising in 1988, stating: "Also in 1988, the Tatmadaw government saved the country from deteriorating conditions in various sectors and reconstructed the country."

### **Peaceful protestors continue to be arrested**

During August, peaceful activists and protestors continued to be harassed and arrested.

On 13th August 2013, Naw Ohn Hla and her supporters were arrested for staging an unauthorised protest against the Letpadaung copper mine project. Naw Ohn Hla went ahead with the protest after being refused nine times by the police for a protest permit. Naw Ohn Hla is a former political prisoner and a leading member of the Democracy and Peace Women Network, which campaigns for women's rights, equality and democracy in Burma.

The Letpadaung project is a venture between China's Wan Bao Company, the military-owned Union of Myanmar Economic Holdings Ltd and the Burmese government. It has resulted in land confiscations, environmental degradation, and the implementation of a policy of arresting and harassing peaceful protestors.



Naw Ohn Hla

Naw Ohn Hla has been sentenced to 2 years in prison under Section 505(b) and her trial continues for a remaining charge.

On 6 August, a monastery near the Letpadaung copper mine was raided at around 2am by military police, apparently in search of activists campaigning for land rights.

In Rangoon 6 activists were arrested after they led a peaceful march to protest against the Peaceful Gathering and Demonstration Law.

### **Anti-Muslim attacks continue**

Anti-Muslim violence in Burma continues. On 24 August, a mob of around 1000 Buddhists set fire to dozens of Muslim-owned homes and shops in Sagaing Division, following rumors that a Muslim man had sexually assaulted a local woman. At least 20 homes were destroyed as well as over a dozen shops and a local rice mill.

On 20 August, Physicians for Human Rights released a report. 'Patterns of Anti-Muslim Violence in Burma: A Call for Accountability and Prevention', documenting the violence against Muslims throughout Burma and showing how the government has created a culture of impunity and has failed to protect the Muslim minority.

### **US renews ban on gems imports**

On 7 August President Obama repealed the Burmese Freedom and Democracy Act (BFDA) banning imports from Burma into the USA after the Act expired in July. However, the ban on gems remains.

A statement from the White House said, "due to continuing concerns, including with respect to labor and human rights in specific sectors, this Executive Order reinstates the prohibitions and restrictions on the importation into the United States of jadeite and rubies mined or extracted from Burma, and on articles of jewelry containing them, that was originally imposed by the Tom Lantos Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2008, which amended the BFDA. The Administration is maintaining restrictions on specific activities and actors that contribute to human rights abuses or undermine Burma's democratic reform process."

### **Draft Association Law criticised**

A recently published draft law regulating civil society organisations and nongovernmental organisations (NGOs) has been widely criticised for restricting freedom of speech and association.

Among other requirements, it would require all NGOs to obtain official registration to operate. Members of unregistered groups could face prosecution.

Human Rights Watch said the law fails to meet international human rights standards and should be significantly revised or scrapped.

“This draft law would give the Burmese government broad authority to refuse to let a group operate and send association leaders and members to prison if the group functions without permission,” said Phil Robertson, deputy Asia director at Human Rights Watch. “It seems the government wants to keep its stranglehold over civil society, effectively muzzling watchdog groups during this critical reform period.”

UN Human Rights envoy Quintana also criticised the draft law, saying that “the bill, if passed in its current form, would be a serious setback for the development of a strong and vibrant civil society.”

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